



UN cover-up permits peacekeepers' sexual abuse of African children

A cover-up involving UN agencies in the Central African Republic up to the highest level allowed scores of child refugees to be sexually abused by peacekeepers

By James Hall

Sexual abuse is long-associated with the tragedy of war. Today, with rape and sexual abuse listed by the International Criminal Court (ICC) as a crime against humanity, civilians can take some measure of comfort knowing that perpetrators may be brought to book. The system breaks down when prosecutions do not occur, as is now happening in the Central African Republic (CAR) against the reported sexual abuses of UN peacekeepers that allegedly begun in December 2013. Peacekeeping troops lose the confidence of populations they are meant to protect. This confidence is critical in the CAR where peacekeepers hold together the conflicted country and provided the security for the December 2015 elections. In the CAR, 11,000 UN peacekeepers are active beside 5,600 African Union (AU) peacekeepers and 2,000 French troops.

Further, it becomes easier for African belligerents to block the posting of peacekeepers in their countries by painting all such forces with the same brush, questioning their legitimacy with the evidence of the sex abuse allegations against the CAR's UN peacekeepers. Governments may argue



The failure of the UN to uphold justice in cases of sexual abuse by its peacekeepers is undermining its moral authority.

Photo courtesy MONUSCO/Myriam Asmani/Flickr

that foreign peacekeepers pose a danger to the civilian populations that they are mandated to protect.

Justice for child victims of sexual abuse and exploitation in the CAR has been cruelly delayed. The French soldiers attached to the UN Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA), according to the testimony of their alleged victims, paid starving refugee girls as little as US 50 cents to be sodomised. In January 2016,

additional child testimonies implicated soldiers from other countries participating in MINUSCA. Unidentified by the UN, the paedophiles have been exposed by the UN watchdog NGO Code Blue Campaign as troops from Chad and Equatorial Guinea, and by media publications as troops from Egypt, Gabon and Morocco. These soldiers from nations where homosexuality is illegal and strongly condemned allegedly sodomised homeless boys and forced them to perform oral sex.



A child plays alongside UN peacekeepers in the DRC, 10 April 2015. Cases of sexual abuse by UN peacekeepers in the DRC surfaced in 2005, 2008 and 2011.

Photo courtesy MONUSCO/Abel Kavanagh/Flickr

The UN cannot prosecute peacekeeping soldiers themselves because the soldiers are under the authority of nations participating in UN missions. The constituent militaries must discipline their lawbreaking personnel. Thus, it was important for France to have been informed by UN officials in the CAR of allegations against its soldiers, which did not happen. A mid-level UN official, horrified that no UN action was being taken in the unfolding scandal, leaked UN documents on the matter to the French. Although the French mounted an investigation in July 2014, as of January 2016 not a single prosecution has resulted.

However, the UN can ensure its own employees face justice for the cover-up that was responsible for the multiplication of child sex abuse victims. Failure to act on child sex abuse allegations is heinous but not criminal, unlike the wilful suppression of criminal activity that results in additional crimes and more victims. It is important to determine whether a criminal conspiracy was at work to bury the accusations, from the

UN in Bangui to UN offices in Geneva and New York. Although UN peacekeepers and personnel enjoy immunity from prosecution, the UN may waive that immunity.

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As appalling as the sexual violence reported by the child victims is, so also is a subsequent cover-up by UN officials and agencies in the CAR, including the UN child welfare organisation UNICEF, and higher up. The CAR child sexual abuse story was pieced together

by an NGO, the New York-based Code Blue Campaign. An initiative of the international advocacy group called AIDS-Free World, Code Blue Campaign states its mission is “to end impunity for sexual violence by UN peacekeeping personnel.” A full year passed between the initial interviews in May 2014 by UN personnel of child victims of sexual abuse and the public exposure in May 2015 of the crimes by Code Blue Campaign. The NGO leaked UN documents relating to the sex crimes to the British newspaper *The Guardian*. The leak was done in protest of UN inaction on child sexual abuse allegations; inaction that allowed more children to be subjected to a sex trade with MINUSCA soldiers. Some of the new victims were sexually brutalised. For justice to be served, prosecution would likely have to focus on criminal negligence on the part of UN staffers and officials in the CAR and higher up the UN chain, and criminal conspiracy to cover up crimes against humanity. The International Criminal Court (ICC) would be a likely venue for prosecution. MINUSCA soldiers should also be charged in their own countries and conceivably at the ICC for crimes against humanity.

For more information on Code Blue Campaign see their website: www.codebluecampaign.com

A history of sexual abuse crimes have dogged peacekeepers for 20 years

The UN in 2016 has nine peacekeeping operations deployed on the African continent. All are in jeopardy, not just because of the UN-reported MINUSCA sex scandal but because in the CAR sex abuse scandal is not an anomaly. Since the 1990s, UN peacekeepers have reportedly been involved in the sexual abuse of civilian

populations in the Democratic Republic of the Congo (DRC) in Central Africa, South Sudan in East Africa, and Liberia in West Africa.

In December 2015, a special UN investigative panel released its findings under the title *Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic*. Three weeks later, in January 2016, UN Special Representative to the CAR, Parfait Onanga-Anyanga, announced that yet more allegations of sexual abuse and exploitation had been raised against UN peacekeepers in the country. From 2014 to 2015, the matter was stonewalled by UN officials, which allowed not only the crimes to go unpunished but for more to be committed. The UN's investigative report recommended that MINUSCA leadership take steps to bring the perpetrators to book. Nine children were the subject of an initial UN investigation in 2014, when it was learned that some were allegedly subjected to anal and oral sex acts. Because of the cover-up, by 2015 the number of known child victims had grown to 21. The actual number of abused children may never be known.

The first of the soldiers implicated in the sexual abuse of CAR children are members of France's *Operation Sangaris*, a precursor to MINUSCA. In 2014 and 2015, at the time of the allegations, Sangaris soldiers were stationed in the CAR as peacekeepers for the UN under authorisation of the UN Security Council (UNSC) but not under direct UN command. In May 2014, local humanitarian workers at the M'Poko IDP (internally displaced persons) Camp for refugees in Bangui learned that some UN troops had allegedly elicited sexual favours from under-aged girls in exchange for food or money. The matter was reported to the Human Rights and Justice Section (HRJS) of MINUSCA and to UNICEF's office in Bangui. An investigation was promptly begun. Soon, however, the MINUSCA and UNICEF response became more characteristic of organisations seeking to protect their image than of bodies associated with a humanitarian organisation. Most disturbing of all, the children who were sexual abuse victims were forgotten in the bureaucratic scramble to save face.

In their report, according to the UN investigative panel "The head

of the UN mission in CAR failed to take any action to follow up on the allegations; he neither asked the Sangaris Forces to institute measures to end the abuses, nor directed that the children be removed to safe housing."

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The UN human rights officials in the CAR as well as UNICEF did nothing for the children, which is a scandal nearly as grave as the peacekeepers' sexual abuse of minors. UNICEF did not provide the children with medical attention or humanitarian aid. Children who came forth with complaints that brought to light the sexual exploitation incidents were not protected in any way from being identified and being targeted for reprisals. "Instead, information about the allegations was passed from desk to desk, inbox to inbox, across multiple UN offices, with no-one willing to take responsibility to address the serious human rights violations," investigators reported.

In July 2014, the French government learned about the sexual abuse perpetrated by its soldiers from Anders Kompass, the director of field operations for The Office of the UN High Commissioner for Human Rights (OHCHR) in Geneva. Alarmed that no action was being taken to address allegations of sexual abuse, Kompass gave the French



Refugees at the M'Poko refugee camp in the CAR capital Bangui.
Photo courtesy Ryan Crane/US Air Force/Flickr

confidential documents on the matter. The French were appreciative. Not so were Kompass' UN superiors, who demanded his resignation and, when he refused, suspended him and mounted a disciplinary review against him.

France mounted its own investigation. When French authorities sought cooperation from the UN staff in the CAR, however, UN investigators found that "these requests were met with resistance and became bogged down in formalities. Staff became overly concerned with whether the allegations had been improperly 'leaked' to French authorities, and focused on protocols rather than action. The welfare of the victims and the accountability of the perpetrators appeared to be an after-thought, if considered at all."

The time for prosecution is now

The UN body responsible for investigating the CAR sex abuse allegations began its December

2015 report by stating, "When peacekeepers exploit the vulnerability of the people they have been sent to protect, it is a fundamental betrayal of trust. When the international community fails to care for the victims or to hold the perpetrators to account, that betrayal is compounded."

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That much is obvious. To its credit, the UN investigative panel chided the UN for passivity: "It is not enough for the UN to report on acts of sexual exploitation

and abuse perpetrated by peacekeepers. It must actively seek to ensure that the perpetrators of such crimes are identified and prosecuted." Not until January 2016 did MINUSCA and UNICEF send a team to Bangui to assist victimised children. A reluctance to do so previously appears to have been founded on a belief that by acknowledging the existence of victims the sexual abuse allegations would be given weight – if there are no victims, there is no scandal. Between May 2014 when the initial investigations were conducted and May 2015 when Code Blue Campaign made public UN documents on the allegations, 12 more children of both sexes were subjected to sexual abuse by peacekeepers in the CAR, according to the UN investigation set into motion by UN Secretary-General Ban Ki-moon. One boy who in 2014 told UN interviewers that he had witnessed the oral and anal rape of his friends had by 2015 become a victim of oral and anal rape himself.

The International Media Response | Outrage against soldiers but none against UN



The sexual abuse of CAR children by UN peacekeepers generated international media coverage first in May 2015 when UN documents were leaked by the UN watchdog Code Blue Campaign, and again in December 2015 when a UN investigative panel released its report. News stories were divided between those which focused on the peacekeepers' alleged crimes and those that featured the UN official, Anders Kompass, who leaked to French authorities UN documents about alleged sex crimes committed by French troops. The media's response to the UN's culpability has been strangely muted, given the UN investigative body's documentation of a cover-up that began in UN offices in Bangui and involved higher UN officials in Geneva and New York. The word "cover-up" was employed in some news stories, but in passing and without acknowledgement of legal implications. Some stories criticised UN procedures when sex abuse situations arise. There were no calls in the media for a criminal investigation into the UN cover-up or a possible criminal conspiracy. Even Code Blue Campaign, which exposed the scandal, rather than calling for the indictment of any UN workers or officials instead presented the scandal as "not unusual or surprising" because it evolved from a systemic problem within the UN. The organisation called for member states to reform the world body. However, the fault with characterising the CAR sexual abuse of child refugees as a systemic problem with UN reporting procedures is that if the system is at fault, no one individual is culpable. In reality, the cover-up had many participants, and many individuals have cases to answer.

ACM is not in the business of prosecuting but in prognosticating. The likely outcome of this scandal is that UN member states will not press for reforms in peacekeeping operations without pressure from the media and popular opinion, both of which have been absent in the month following the publication of the UN investigative body's report. No UN member state has commented on the report at the time of this writing, including the CAR. Therefore, the sexual abuse of civilians by UN peacekeepers will continue. The brave boys and girls of the CAR who came forth to accuse their abusers will not receive justice.



Anders Kompass (right) in Venice at an event launching guidelines for freedom of association in Europe, 5 March 2015. Kompass was suspended by the UN in late April after alerting French authorities to the abuse of children in the CAR by French peacekeepers.

Photo courtesy Maina Kiai/Flickr

Against this background, a press release from MINUSCA on 6 January 2016 seems particularly disturbing and self-serving: “The entire UN family is collaborating in addressing Sexual Exploitation and Abuse (SEA) in the broader context of upholding the highest standard of conduct and discipline within the organisation.” The trumpeting of the UN’s family values in this instance, when the UN by its own investigative body’s account was guilty of covering up child sexual abuse, is hypocritical; as is the fact that MINUSCA’s self-described upholding of standards and discipline seems contingent on being found out by the international media. The press release goes on to trumpet MINUSCA’s virtue by announcing, “Over the past week, UNICEF staff from the office in Bangui have undertaken four visits to meet with four alleged minors victims. UNICEF is working with a local partner to help the girls receive medical care, and is assessing their psychosocial needs. The girls were also provided with clothes, shoes and

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hygiene kits.” Given that more than 20 children, most of them boys, are alleged to have been sexually abused, the boast that assistance has been given to four girls seems overblown, and the triumphant tone of the statement seems cynical. Further, why was assistance

given to “alleged” victims who by nature of the word ‘alleged’ have not been proved to have suffered any injuries? The calculated legalism must seem offensive to the victims and their families, if necessary to UNICEF’s lawyers.

The press release was chockablock with public relations blather cruelly at odds with the history of UN bureaucratic foot-dragging (i.e. cover-up) of accusations against UN peacekeepers in the CAR. For instance, “Other up-coming measures include the establishment of a Police-Force joint brigade to identify SEA perpetrators and deter the occurrence of new cases. Special Representative of the Secretary-General Parfait Onanga-Anyanga underlined the need to conduct patrols in the IDP camps in close collaboration with the Central African internal security forces. He also renewed his commitment to protect whistleblowers.” Such measures should rightfully have been in place when the crimes were first reported in 2014, but were still “up-coming” two years later. During the unfolding sex abuse scandal, where were the “commitment to protect whistleblowers”? The press release reads as if such commitment had always been there and was now being “renewed,” which contradicts the findings of the UN investigative panel as well as the persecution of Kompass by his UN superiors.

The UN investigative panel admitted that the scandal has put the MINUSCA operation in jeopardy. To remedy this, not only should the sexually abusive soldiers be prosecuted but also the UN staff in the CAR who refused to investigate or to provide aid to the child victims. The victims deserve financial compensation along with psychological counselling and medical

treatment for bodily injuries incurred. The children's parents and guardians would be well advised to hire lawyers to pursue damages in civil court.

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UN investigators noted, “Overall, the response of the UN was fragmented and bureaucratic, and failed to satisfy the UN's core mandate to address human rights violations.” This is an under-statement. The response of the UN staff in the CAR shows evidence of criminal negligence and possibly criminal conspiracy. The UN Secretary-General Ban Ki-moon knows the stakes involved; he fired the head MINUSCA in 2015 after the sex abuse incidents had been exposed by Code Blue Campaign. Ban has threatened to pull out all UN peacekeepers from the CAR if nations contributing



Rwandan peacekeepers line up for deployment to the CAR, 19 January 2014. Rwandan peacekeepers have managed to avoid garnering headlines for the wrong reasons during their service.

Photo courtesy Ryan Crane/US Air Force/Flickr

peacekeepers do not prosecute soldiers with cases to answer. However, the sexual abuse scandal is being entirely framed by the UN and by the international media as crimes committed by individual soldiers. The apparent cover-up by UN officials is not mentioned by the UN Secretary-General.

Aside from justice for the child victims, if confidence is to be fully restored to MINUSCA and peacekeeping efforts throughout Africa,

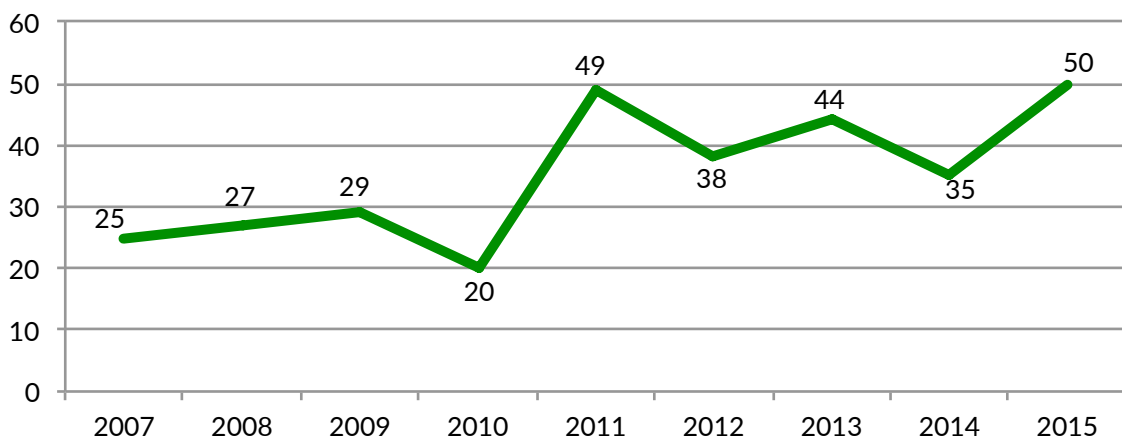
the perpetrators – whether they work in barracks or offices – must also be brought to book.

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Number of allegations

Sexual abuse allegations against UN personnel with African peace-keeping missions: 2007-2015



2015 saw a record high of sexual abuse allegations lodged against UN peacekeeping personnel in Africa – civilian, military, police.

Data source: UN Office of Internal Oversight Services (OIOS)



TIMELINE OF A COVER-UP

The United Kingdom (UK) NGO Child Rights International Network assembled the following chronology based on information acquired from the Code Blue Campaign. Events unfolding from May 2014, when the first courageous children stepped forward to describe the sexual abuse they suffered from MINUSCA peacekeepers, show craven UN bureaucrats in the Central African Republic and further up the UN command more interested in punishing a whistleblower, Geneva-based UN human rights official Ander Kompass, than stopping the sexual abuse of children.

EARLY-MAY 2014 An international NGO requests the help of the UN peacekeeping mission in the Central African Republic (MINUSCA) after reports emerge that children are being sexually assaulted and raped by international peacekeeping troops in Bangui, the capital of Central African Republic (CAR).

19 MAY 2014 A junior human rights officer with OHCHR and a UNICEF staff member conduct an interview with an 11 year old boy who gives a detailed description of a French soldier who had promised him food in exchange for oral sex. The soldier successfully negotiated with a guard to bring the boy onto the base, where he was then raped. The human rights officer informed Renner Onana, Chief of Human Rights and Justice for MINUSCA of the details of the interview. There is no record of Renner Onana, taking any action.

20 MAY – 24 JUNE 2014 The human rights officer together with the UNICEF staff member continue to conduct numerous interviews with child victims. The

boys aged 8-15 years old reported a catalogue of abuses including forced oral sex and anal rape. After each interview, MINUSCA was informed, yet no apparent action was taken. One of the victims claimed the most recent incidents of abuse were between the 8th and 12th of June, several weeks after the first interview had taken place.

MID-JULY 2014 More than 12 UN staff members receive the human rights officer's report, and one of the recipients informs his supervisor, Ander Kompass in Geneva. Mr Kompass passes the information on to French diplomatic authorities.

30 JULY 2014 French authorities confirm to Mr Kompass that they had begun an investigation.

1 AUGUST 2014 French investigators arrive in Bangui and question Renner Onana, MINUSCA's Chief of Human Rights and Justice who had received successive reports after each interview had taken place. MINUSCA referred the French investigators to the human rights officer who had conducted

the interviews, who was informed by OHCHR's senior legal advisor to inform the French investigators that any questions must go through UN lawyers who would provide the answers. The UNICEF staff members also referred the French investigators to the UN office of legal affairs.

7 AUGUST 2014 Anders Kompass briefs the OHCHR Deputy High Commissioner Flavia Pansieri about the ongoing sexual abuse taking place in the CAR allegedly by MINUSCA troops.

8 AUGUST 2014 The OHCHR Deputy High Commissioner's Office receives Kompass' report via e-mail and informs the Executive office of the UN Secretary General.

AUGUST – NOVEMBER 2014 OHCHR requests for the UN's Office of Internal Oversight Services (OIOS) to begin investigating Anders Kompass for leaking sensitive cables regarding the case and breaking with protocol.



22 DECEMBER 2014 UN General Assembly: The Secretary General submits a final report of the International Commission of Inquiry on the Central African Republic, however, the report failed to reference the specific MINUSCA/OHCHR/UNICEF reports of abuse by the international peacekeepers.

FEBRUARY 2015 The Secretary General's annual report on the UN's response to sexual exploitation and abuse for 2014 failed to mention the reports of abuses in the Central African Republic.

6 MARCH 2015 The human rights officer who had interviewed the child victims is interviewed by two senior OHCHR lawyers for the first time, where they question her reports and her work in the Central African Republic. They then briefed UN High Commissioner Zeid and Deputy High Commissioner Pansieri.

12 MARCH 2015 At the request of Zeid and UN peacekeeping head Herve Ladsous, Pansieri asks Kompass to resign. Kompass refuses to resign.

19 MARCH 2015 The UN's Chef de Cabinet Susanna Malcorra arranges a meeting between High Commissioner Zeid, Deputy High Commissioner Pansieri, Under-Secretary-General for the UN's Office of Internal Oversight Services (OIOS) Carman Lapointe, and the UN's Director of Ethics, Joan Dubinsky. They decide to open an investigation into Kompass.

9 APRIL 2015 High Commissioner Zeid requests that the UN's Office of Internal Oversight Services officially investigate Kompass for the leak regarding sexual abuse claims. The investigation into the leak incorporated various statements from all the central figures in the case. However, the sole focus of this investigation was to concentrate on Kompass rather than the abuse.

7 APRIL 2015 The Deputy Swedish Ambassador to the UN informs the UN ethics office of Sweden's anger that Kompass, a Swedish nation, was being asked to resign and threaten to go public with the story, potentially sparking a major diplomatic row.

13 APRIL 2015 Kompass is suspended from office for breaching protocols. He takes the OHCHR to the UN dispute tribunal.

6 MAY 2015 A UN Judge rules that the decision to suspend Kompass from his role as Director of Field Operations for the OHCHR was 'prima facie unlawful' and orders the High Commissioner to immediately reinstate him.

7 MAY 2015 French prosecutors launch a criminal investigation into the allegations of abuse.

29 MAY 2015 UN internal documents and memos are leaked by the Code Blue Campaign.

3 JUNE 2015 UN Secretary General Ban Ki-Moon announces plans for an external independent review into the abuse claims.

17 DECEMBER 2015 The UN investigative panel releases its report, detailing the sexual abuse cover-up by UN employees. The world media treats the UN kindly, ignoring criminal liability and focusing on suggestions for reforming the investigation of sexual abuse allegations of UN peacekeepers.

15 JANUARY 2016 Kompass is informed by letter by the UN's Office of Internal Oversight (OIOS) that he has been cleared of charges against him. Ironically, Kompass was indeed guilty of breaching UN protocol but was spared punishment as the UN attempts to put a lid on the CAR sexual abuse of minors scandal.

29 JANUARY 2016 Because of UN inaction on child sexual abuse allegations in 2014, the crimes proliferated in 2015 and showed no signs of abetting at the start of 2016. UN Assistant Secretary-General for Field Support Tony Banbury announces in New York new allegations of child sexual abuse against 10 peacekeepers from Bangladesh, Democratic Republic of Congo, Morocco, Niger and Senegal. Georgian soldiers are separately implicated. Banbury blames Georgia and Niger for failing to investigate allegations against their soldiers. "Far too many of these crimes continue to go unpunished, with the perpetrators enjoying full impunity. This simply encourages further violations," says the UN official without apparent irony, given the UN's own culpability through its cover-up of the scandal.

1 FEBRUARY 2016 More than two years after the first sexual abuse of CAR children by MINUSCA peacekeepers, in December 2013, not a single conviction has resulted.

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